

Congress of the United States
Washington, DC 20515

June 7, 2011

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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Dear Mr. Chairman:

We write to express concern about a conditional waiver that the International Bureau granted in January 2011 after an abbreviated public-notice process.

The exclusive waiver, for a company named LightSquared Subsidiary LLC, would waive the integrated service rule for its L-Band Mobile Satellite Service license. As a result, LightSquared could dramatically expand the terrestrial use of satellite spectrum that neighbors Global Positioning System (GPS) spectrum. This action has serious implications for all GPS technologies, and could negatively impact millions of Americans. Unfortunately, the FCC has recklessly fast-tracked the waiver process without undertaking appropriate review procedures. The Commission has called on a working group to investigate and report on the potential for GPS interference by June 15. Accordingly, we request that the Commission only approve LightSquared's waiver if it can be indisputably proven that there will be no GPS interference.

LightSquared intends to build 40,000 high-powered ground transmission stations, which would transmit radio signals one billion times more powerful than GPS signals. Since the intended spectrum usage is immediately adjacent to GPS spectrum, it could lead to severe interference that effectively renders the technology useless. Such interference would have devastating effects on the United States military, emergency responders, aviation, agricultural producers, cellular telecommunications companies, homeland security, transportation, forestry, engineering and construction, land management, disaster management, natural resources, utilities, and individual consumers who rely on GPS for everyday needs.

General William Shelton, the head of the U.S. Air Force Space Command, recently said, "Within three to five miles on the ground and within twelve miles in the air, GPS is jammed by those towers... If we allow that system to be fielded and it does indeed jam GPS, think about the impact. We're hopeful we can find a solution, but physics being physics we don't see a solution right now. LightSquared has got to prove that they can operate with GPS and we're hoping the FCC does the right thing."

With such significant potential consequences, the FCC should have conducted in-depth studies on the consequences of reallocating the spectrum *prior* to issuing the conditional waiver. Such an approach would have allowed for significant public comment by all stakeholders. Instead, the FCC granted the waiver with the intention of subsequently testing the effects of repurposing the spectrum. We are concerned that the brief study period arranged by the FCC following the issuance of the conditional waiver does not allow for nearly the consideration necessary for such a far-reaching decision.

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Final approval should only be granted if LightSquared can indisputably demonstrate non-interference on GPS usage. We urge the full Commission to weigh in on this matter and allow for additional public comment moving forward. It is incumbent upon LightSquared to unequivocally prove that the proposal will not interfere with GPS spectrum.

We look forward to your prompt response on this matter.

Sincerely,

Randy Neugebauer

Steve Cusack

Colin C. Palmer

Ralph M. Hall

Jack Kingston

Michael R. Zee

Gene Schmidt

Tom Sullivan

Ch. Victor Rupprecht

Heena Ros-Lehtinen

Alan Turing

E. C. Thomas

Dennis W. Starnes

K. Michael Long

Steve Pearce

Cathy McMoran-Rodgers

John Barrasso

Robert E. Anderson

Howard Berman

Chris Fack

Paul A. Tanko
CIG

Currie Davis
Curtis Scott
Brynn M. King
11/11/11

Candice Miller
T.E.

Edward & Rose
Lynne Jensen

Tom Gifford
Paul G. L.

Tom Gifford
Mike Coffey

Steve Johnson
Kathy B. Lyght

Anthony Long
Renee & Emma

Rod & Julie
Tim Thomas

Bob Woodall
D.L. J.

Sam M.
Tony K.

Pat Tilman
Chris Noen
White
D. Lawrence NY-24
Kurt Schuler
Craig Hoyer
Doug Lamber
Keri Gode
Hank Johnson
Judy Biggert
Mc Brooks

Bill Bray
Johnaramendi
Caul C. Brun
Bill Johnson
Brett Guthrie
To To To
John H
Ron Paul
Mike Wazars
Tom Zuway
Ann Sel

CC:

The Honorable Robert Gates, Secretary, Department of Defense
The Honorable Janet Napolitano, Secretary, Department of Homeland Security
The Honorable Gary Locke, Secretary, Department of Commerce
The Honorable Tom Vilsack, Secretary, Department of Agriculture
The Honorable Ken Salazar, Secretary, Department of Interior
The Honorable Ray LaHood, Secretary, Department of Transportation

Cosigners:

Robert Andrews
Steve Austria
John Barrow
Rick Berg
Judy Biggert
Leonard Boswell
Mo Brooks
Paul Broun
Mike Coffman
Michael Conaway
Mario Diaz-Balart
Renee Ellmers
Chaka Fattah
Jeff Flake
Bill Flores
John Garamendi
Sam Graves
Tim Griffin
Brett Guthrie
Ralph Hall
Richard Hanna
Gregg Harper
Martin Heinrich
Randy Hultgren
Lynn Jenkins
Bill Johnson
Hank Johnson
Timothy Johnson
Jack Kingston
Larry Kissell
Doug Lamborn
Tom Latham
Steven LaTourette

Daniel Lipinski
David Loebsack
Billy Long
Buck McKeon
Cathy McMorris Rodgers
Brad Miller
Candice Miller
~~Randy Neugebauer~~
Kristi Noem
Richard Nugent
Ron Paul
Stevan Pearce
Collin Peterson
Bill Posey
Reid Ribble
Ileana Ros-Lehtinen
Dutch Ruppersberger
Robert Schilling
Jean Schmidt
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Kurt Schrader
Austin Scott
Adrian Smith
Steve Stivers
Mac Thornberry
Patrick Tiberi
Paul Tonko
Niki Tsongas
Michael Turner
Timothy Walz
Lynn Westmoreland
Rob Woodall
Kevin Yoder



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Robert E. Andrews
U.S. House of Representatives
2265 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Andrews:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

As I have stated previously to Congress, the Commission will not permit LightSquared to begin commercial service without first resolving concerns about potential widespread harmful interference to GPS devices.

The current interference concerns are significant, and we have taken them very seriously. The FCC has proceeded in an open, thorough, and fair way, and we will continue to operate in this manner. On June 30, 2011, the Commission issued a Public Notice inviting comment on the final report of the technical working group established as a condition of the January Waiver Order. The Commission, in consultation with NTIA, has been reviewing the report's findings and established a public comment cycle to give parties further opportunities to present their views on LightSquared's revised proposal to operate only on the lower portion of its spectrum and on the report. The public comment cycle closed on August 15, 2011. I assure you that we will consider thoroughly all submissions received in response to the Public Notice.

Finding additional spectrum for innovative wireless services has been the source of tremendous growth for our country, and its potential to create jobs and drive the economy for the foreseeable future is substantial. I look forward to working with you and your colleagues to ensure that we use this precious resource wisely, and that we maximize the economic, public safety and national security potential it affords us.

Sincerely,

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Steve Austria
U.S. House of Representatives
439 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Austria:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable John Barrow
U.S. House of Representatives
2202 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Barrow:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Rick Berg
U.S. House of Representatives
323 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Berg:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Judy Biggert
U.S. House of Representatives
2113 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Biggert:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Leonard Boswell
U.S. House of Representatives
1026 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Boswell:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mo Brooks
U.S. House of Representatives
1641 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Brooks:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Paul C. Broun
U.S. House of Representatives
325 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Broun:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Sincerely,

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mike Coffman
U.S. House of Representatives
1222 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Coffman:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable K. Michael Conaway
U.S. House of Representatives
2430 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Conaway:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mario Diaz-Balart
U.S. House of Representatives
436 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Diaz-Balart:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Renee L. Ellmers
U.S. House of Representatives
1533 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Ellmers:

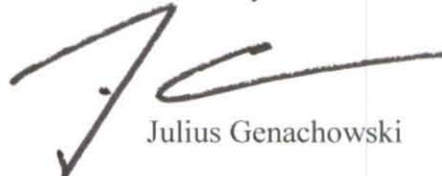
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Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Chaka Fattah
U.S. House of Representatives
2301 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Fattah:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Sincerely,

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Jeff Flake
U.S. House of Representatives
240 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Flake:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Bill Flores
U.S. House of Representatives
1505 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Flores:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

As I have stated previously to Congress, the Commission will not permit LightSquared to begin commercial service without first resolving concerns about potential widespread harmful interference to GPS devices.

The current interference concerns are significant, and we have taken them very seriously. The FCC has proceeded in an open, thorough, and fair way, and we will continue to operate in this manner. On June 30, 2011, the Commission issued a Public Notice inviting comment on the final report of the technical working group established as a condition of the January Waiver Order. The Commission, in consultation with NTIA, has been reviewing the report's findings and established a public comment cycle to give parties further opportunities to present their views on LightSquared's revised proposal to operate only on the lower portion of its spectrum and on the report. The public comment cycle closed on August 15, 2011. I assure you that we will consider thoroughly all submissions received in response to the Public Notice.

Finding additional spectrum for innovative wireless services has been the source of tremendous growth for our country, and its potential to create jobs and drive the economy for the foreseeable future is substantial. I look forward to working with you and your colleagues to ensure that we use this precious resource wisely, and that we maximize the economic, public safety and national security potential it affords us.

Sincerely,

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable John Garamendi
U.S. House of Representatives
228 Cannon House Office Bldg.
Washington, D.C. 20515

Dear Congressman Garamendi:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Sam Graves
U.S. House of Representatives
1415 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Graves:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Tim Griffin
U.S. House of Representatives
1232 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Griffin:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Brett Guthrie
U.S. House of Representatives
308 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Guthrie:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 8, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Ralph M. Hall
U.S. House of Representatives
2405 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Hall:

Thank you for your letter regarding the Commission's work with respect to LightSquared's proposed operation in the MSS L-Band. The Commission remains committed to identifying opportunities to make additional spectrum available for mobile broadband to secure the Nation's leadership in the mobile space, spur further innovation, job creation, and economic growth, and enhance our overall global competitiveness.

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Julius Genachowski